

BEFORE THE IOWA BOARD OF MEDICINE

\*\*\*\*\*

IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST

GARRY M. GOODLETT, M.D., RESPONDENT

FILE NO. 02-07-510

\*\*\*\*\*

STIPULATED ORDER

\*\*\*\*\*

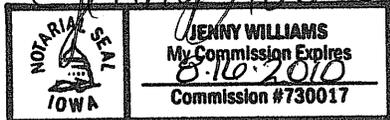
COMES NOW Garry M. Goodlett, M.D., (Respondent), on Dec 8, 2008, and enters into this Stipulated Order with the Board to resolve a pending disciplinary matter.

1. Respondent was issued Iowa medical license no. 29112 on January 28, 1993.
2. Respondent's Iowa medical license will next expire on December 1, 2008.
3. The Board has jurisdiction in this matter pursuant to Iowa Code Chapters 147, 148 and 272C.
4. Respondent is currently on probation subject to certain terms and conditions.
5. Respondent agrees to **voluntarily surrender** his Iowa medical license.

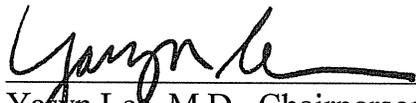
Garry M. Goodlett  
Garry M. Goodlett, M.D., Respondent

Subscribed and sworn to before me on December 8, 2008.

Notary Public, State of Iowa

Jenny Williams  


This Order is approved by the Board on December 18, 2008.



Yasyn Lee, M.D., Chairperson  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

**BEFORE THE IOWA BOARD OF MEDICINE**

\*\*\*\*\*

**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**GARRY M. GOODLETT, M.D., RESPONDENT**

**FILE NO. 02-07-510**

\*\*\*\*\*

**SETTLEMENT AGREEMENT**

\*\*\*\*\*

**COMES NOW** the Iowa Board of Medicine (Board) and Garry M. Goodlett, M.D., (Respondent), on August 6, 2008, and pursuant to Iowa Code sections 17A.10(2) and 272C.3(4) (2007) enter into this Settlement Agreement to resolve the contested case currently on file.

1. Respondent was issued Iowa medical license no. 29112 on January 28, 1993.
2. Respondent's Iowa medical license is active and will next expire on December 1, 2008.
3. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 147, 148 and 272C.

**STATEMENT OF THE MATTERS ASSERTED**

4. Respondent is a family physician from Cedar Rapids, Iowa.

5. On March 12, 2008, the Board filed formal disciplinary charges against Respondent alleging that he failed to conform to the minimal standard of acceptable and prevailing practice of medicine in violation of the laws and rules governing the practice of medicine in Iowa.

6. The Board alleged that Respondent inappropriately prescribed controlled substances and other medications to numerous individuals without documenting and/or performing proper physical examinations and without maintaining proper medical records.

#### SETTLEMENT AGREEMENT

7. **CITATION AND WARNING:** Respondent is hereby **CITED** for inappropriately prescribing controlled substances and other medications to several individuals without documenting and/or performing proper examinations and without maintaining proper medical records. Respondent is hereby **WARNED** that such conduct in the future may result in further disciplinary action, including suspension or revocation of his Iowa medical license.

8. **CIVIL PENALTY:** Respondent shall be assessed a **\$2,500** civil penalty. The civil penalty shall be payable to the Treasurer of Iowa, and shall be mailed to the executive director of the Board within twenty (20) days of the date of this Order. The civil penalty shall be deposited into the State General Fund.

9. **PRESCRIBING COURSE:** Respondent shall complete a Board-approved prescribing course no later than October 31, 2008.

10. **RECORD KEEPING COURSE:** Respondent shall complete a Board-approved record keeping course no later than October 31, 2008.

11. **THREE YEARS PROBATION:** Respondent shall be placed on probation for a period of three years subject to the following terms and conditions:

- A. **Monitoring Program:** Respondent shall establish a monitoring program with Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686, Ph.#515-281-3654. Respondent shall fully comply with all requirements of the monitoring program.
- B. **Prescribing Audits:** Respondent shall fully comply with Board audits of his prescribing practices during the period of this Order. Respondent shall submit the names of all patients that he has prescribed medications, including but not limited to, controlled substances, for each quarter of this Order. From that list, the Board shall select 10 patients quarterly. Respondent shall provide the Board copies of the medical records for each patient selected for review. Respondent shall pay the Board a \$500 auditing fee each quarter for the audits performed by the Board. The auditing fee shall be submitted to the Board with each quarterly report required below.
- C. **Quarterly Reports:** Respondent shall file sworn quarterly reports attesting to his compliance with all the terms of his probation no later than 1/10, 4/10, 7/10 and 10/10 of each year of this Order.

**D. Board Appearances:** Respondent shall appear before the Board annually or upon request of the Board during the period this Order. Respondent shall be given notice of the date, time and location of the appearances. The appearances shall be subject to the waiver provisions of 653 IAC 24.2(5)(2).

**E. Monitoring Fee:** Respondent shall make a payment of \$100 to the Board each quarter for the duration of his probation to cover the Board's monitoring expenses in this matter. The monitoring fee shall be received by the Board with all quarterly reports required during his probation. The monitoring fee shall be sent to: Shantel Billington, Compliance Monitor, Iowa Board of Medicine, 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, IA 50309-4686. The check shall be made payable to the Iowa Board of Medicine. The monitoring fee shall be considered repayment receipts as defined in Iowa Code section 8.2.

12. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in Iowa.

13. Respondent voluntarily submits this Order to the Board for consideration.

14. This Order constitutes the resolution of a contested case proceeding.

15. In the event Respondent violates or fails to comply with any of the terms of this Order, the Board may initiate action to suspend or revoke Respondent's Iowa medical license or to impose other license discipline as authorized in Iowa Code chapters 148 and 272C and 653 IAC 25.

16. By entering into this Order, Respondent voluntarily waives any rights to a contested case hearing on the allegations contained in the Statement of Charges, and waives any objections to the terms of this Settlement Agreement.

17. This Order is subject to approval of the Board. If the Board fails to approve this Order, it shall be of no force or effect to either party.

18. The Board's approval of this Order shall constitute a Final Order of the Board.

  
Garry M. Goodlett, M.D., Respondent



Subscribed and sworn to before me on July 21, 2008.

Notary Public, State of Iowa

This Order is approved by the Board on August 6, 2008.

  
Yasyn Lee, M.D., Chairperson  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686

**BEFORE THE IOWA BOARD OF MEDICINE**

\*\*\*\*\*

**IN THE MATTER OF THE STATEMENT OF CHARGES AGAINST**

**GARRY M. GOODLETT, M.D., RESPONDENT**

**FILE NO. 02-07-510**

\*\*\*\*\*

**STATEMENT OF CHARGES**

\*\*\*\*\*

**COMES NOW** the Iowa Board of Medicine on March 12, 2008, and files this Statement of Charges pursuant to Iowa Code section 17A.12(2)(2007). Respondent was issued Iowa medical license no. 29112 on January 28, 1993. Respondent's Iowa medical license is active and will next expire on December 1, 2008.

**A. TIME, PLACE AND NATURE OF HEARING**

1. Hearing. A disciplinary contested case hearing shall be held on May 23, 2008, before the Board. The hearing shall begin at 8:30 a.m. and shall be located in the conference room at the Board office at 400 SW 8<sup>th</sup> Street, Suite C, Des Moines, Iowa.

2. Answer. Within twenty (20) days of the date you are served this Statement of Charges you are required by 653 IAC 24.2(5)(d) to file an Answer. In that Answer, you should state whether you will require a continuance of the date and time of the hearing.

3. Presiding Officer. The Board shall serve as presiding officer, but the Board may request an Administrative Law Judge make initial rulings on prehearing matters, and be present to assist and advise the board at hearing.

4. Hearing Procedures. The procedural rules governing the conduct of the hearing are found at 653 IAC 25. At hearing, you will be allowed the opportunity to respond to the charges against you, to produce evidence on your behalf, cross-examine witnesses, and examine any documents introduced at hearing. You may appear personally or be represented by counsel at your own expense. If you need to request an alternative time or date for hearing, you must review the requirements in 653 IAC 25.16. The hearing may be open or closed to the public at the discretion of the Respondent.

5. Prosecution. The office of the Attorney General is responsible for representing the public interest (the State) in this proceeding. Pleadings shall be filed with the Board and copies should be provided to counsel for the State at the following address: Theresa O'Connell Weeg, Assistant Attorney General, Iowa Attorney General's Office, 2<sup>nd</sup> Floor, Hoover State Office Building, Des Moines, Iowa 50319.

6. Communications. You may not contact board members by phone, letter, facsimile, e-mail, or in person about this matter. Board members may only receive information about the case when all parties have notice and an opportunity to participate, such as at the hearing or in pleadings you file with the Board office and serve upon all parties in the case. You should direct any questions to Kent M. Nebel, J.D., Legal Director at 515-281-7088 or to Assistant Attorney General Theresa O'Connell Weeg at 515-281-6858.

## **B. LEGAL AUTHORITY AND JURISDICTION**

7. Jurisdiction. The Board has jurisdiction in this matter pursuant to Iowa Code chapters 17A, 147, 148, and 272C.

8. Legal Authority: If any of the allegations against you are founded, the Board has authority to take disciplinary action against you under Iowa Code chapters 17A, 147, 148, and 272C and 653 IAC 25.

9. Default. If you fail to appear at the hearing, the Board may enter a default decision or proceed with the hearing and render a decision in your absence, in accordance with Iowa Code section 17A.12(3) and 653 IAC 25.20.

## **C. SECTIONS OF STATUTES AND RULES INVOLVED**

### **COUNT I**

10. Respondent is charged with professional incompetency pursuant to Iowa Code sections 147.55(2), 148.6(2)(g) and (i), and 272C.10(2), and 653 IAC 23.1(2)(c), (d), (e), and (f) by demonstrating one or more of the following:

- A. A substantial lack of knowledge or ability to discharge professional obligations within the scope of the physician's or surgeon's practice;
- B. A substantial deviation from the standards of learning or skill ordinarily possessed and applied by other physicians or surgeons in the state of Iowa acting in the same or similar circumstances;

- C. A failure by a physician or surgeon to exercise in a substantial respect that degree of care which is ordinarily exercised by the average physician or surgeon in the state of Iowa acting in the same or similar circumstances; and
- D. A willful or repeated departure from, or the failure to conform to, the minimal standard of acceptable and prevailing practice of medicine and surgery in the state of Iowa.

## **COUNT II**

11. Respondent is charged under Iowa Code section 147.55(3) and 653 IAC 23.1(3) with engaging in practice harmful or detrimental to the public.

### **D. STATEMENT OF MATTERS ASSERTED**

12. Respondent is an Iowa-licensed family physician from Cedar Rapids, Iowa.

13. The Board alleges that Respondent inappropriately prescribed controlled substances and other medications to numerous individuals without establishing an appropriate physician-patient relationship. The Board alleges that Respondent inappropriately prescribed controlled substances and other medications to numerous individuals without performing a proper physical examination and without maintaining proper medical records.

### **E. SETTLEMENT**

14. Settlement. This matter may be resolved by settlement agreement. The procedural rules governing the Board's settlement process are found at 653 IAC 25. If you are interested in settlement, contact Kent M. Nebel, J.D., Legal Director at 515-281-7088.

## F. PROBABLE CAUSE FINDING

15. On March 12, 2008, the Iowa Board of Medicine found probable cause to file this Statement of Charges.



---

Yasn Lee, M.D., Chairperson  
Iowa Board of Medicine  
400 SW 8<sup>th</sup> Street, Suite C  
Des Moines, Iowa 50309-4686